HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION NO. 5819 OF 2005

PETITIONER Pahad Singh S/o Shri Sahdev Sahu
Aged about 38 years, R/o Ward No. 14, Gram Panchayat Dansara, Tehsil – Sarangarh, Dist : Raigarh – (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh
Through – The Secretary
Panchayat and Development of Urban / Local Administration Mantralaya, D.K.S. Bhawan, Raipur, Dist : Raipur – (C.G.)
2. The Additional Collector,
Raigarh, Dist. : Raigarh (C.G.)
3. Prahalad Giri Goswami,
R/o Village and Post Dansara,
Tehsil – Sarangarh,
Dist : - Raigarh (C.G.)

Present : Mr.Bharat Rajput, learned counsel for the petitioner.
Mr. Yashwant Singh, learned Govt. Adv. for the State.

ORAL ORDER
(Passed on 7th December, 2005)

Against the impugned order an appeal lies under Sub Section (4) of Section 36 of the Panchayat Raj and Gram Swaraj Adhiniyam (for short "the Adhiniyam") 1993 to the Director (Panchayat).

(2) Having heard learned counsel for the parties, I do not find any valid or substantive ground which could persuade me to permit the petitioner to by-pass statutory remedies and rush to this Court under Article 226 of the Constitution of India. On that short ground, the writ petition is dismissed, however, reserving liberty to the petitioner to workout his legal remedies by way of appeal as provided under Sub Section (4) of

Section 36 of the Adhiniyam. All contentions raised in this writ petition by the petitioner are left upon to be agitated before the Appellate Authority. There shall be no order as to costs.

Sd/-
Chief Justice